GR- 20040816124149001 – 0100

Instructions to regulate the procedure to be followed by the Departments of Mantralaya in their dealings with the Maharashtra Public Service Commission.

GOVERNMENT OF MAHARASHTRA,
General Administration Department,
Circular No.PSC-1079/CN-35/VIII,
Mantralaya, Bombay - 400 032.
Dated the 5th July, 1979.

READ:-

(i) Government Endorsement, Political and Services Department, No.2048-34/D, dated the 24th February, 1948.

(ii) Government Corrigendum, Political and Services Department, No.2048/34, dated the 18th May, 1949.

(iii) Government Resolution, General Administration Department, No.PSC-1076/X, dated the 30th July, 1976.

(iv) Government Resolution, General Administration Department, No.PSC-1077/XIV, dated the 30th July, 1977.

(v) Government Resolution, General Administration Department, No.PSC-2278/198/VIII, dated the 11th April, 1978.

CIRCULAR

According to the Instruction 7 in the Instruction to regulate the Procedure to be followed by the Departments of the Mantralaya in their dealings with the Maharashtra Public Service Commission, in every case in which it becomes necessary eventually for a Department to reject, or to deviate from, the advice of the Commission, the file is required to be referred unofficially to the General Administration Department for submission to a Committee of the Cabinet for orders. The Committee which was constituted for this purpose has since been discontinued in pursuance of the decision of the Cabinet communicated to all Departments of Mantralaya, in the note No.CS-P/54-78, dated the 7th September 1978 issued from the Chief Secretary's office. Government has now decided that hereafter, the procedure to be followed in such cases should be that, the proposals involving rejection of, or

P.T.O.

deviation from the advice of the Public Service Commission should be submitted to the Chief Minister, through the General Administration Department and the Minister in charge of the Department concerned. In case where approval of the Council of Ministers is required under the Rules of Business, the proposals should also be placed before the Council of Ministers is required under the Rules of Business, the proposals should also be placed before the Council of Ministers.

2. Instruction 7 in the Instructions to regulate the regulate the procedure to be followed by the Departments of the Mantralaya in their dealings with the Maharashtra Public Service Commission is accordingly amended to read as follows:-

> "7. It, in any case, it becomes necessary eventually to reject, or to deviate from, the advice of the Commission, the file should be shown to the General Administration Department with a full note explaining in detail why it is proposed to reject, or to deviate from, the advice of the Commission. The General Administration Department will then submit the file for orders to the Chief Minister, through the Minister in charge of the Department concerned. Proposals which require the approval of the Council of Ministers under the Rules of Business will thereafter be placed before the Council of Ministers. Further action in each case shall be taken in accordance with the orders of the Council of Ministers or the Chief Minister as the case may be".

By order and in the name of the Governor of Maharashtra.

Sd/-
Joint Secretary to Government.

To,

The Secretary to the Governor,

The Secretary to the Chief Ministers,

The Private Secretaries to all Ministers,

The Secretary, Maharashtra Public Service Commission, Bombay,

All Departments of the Mantralaya,

The Select file.